

EXECUTIVE SESSION – PERSONNEL SECTION 2(C)(1) OF THE OPEN MEETINGS ACT

It was moved by Alderman Kenny and seconded by Alderman Schauer to go into Executive Session for the purpose of discussing Personnel, Section 2(C)(1) of the Open Meetings Act at 7:02 P.M.

Roll Call: Ayes: Beilke, Belczak, Kenny, Schauer, Seifert

Nays: None

Absent: Marchese, McIvor

Results: Ayes 5, Nays 0, Absent 2

MOTION DULY CARRIED

It was moved by Alderman Beilke and seconded by Alderman Schauer to adjourn Executive Session.

Roll Call: Ayes: Beilke, Belczak, Kenny, Schauer, Seifert

Nays: None

Absent: Marchese, McIvor

Results: Ayes 5, Nays 0, Absent 2

MOTION DULY CARRIED

Executive Session was adjourned at 7:16 P.M.

A WORK SESSION WAS CALLED TO ORDER AT 7:19 P.M. BY MAYOR WEAVER FOR THE PURPOSE OF REVIEWING ITEMS ON THE AUGUST 5, 2013 AGENDA WITH THE CITY COUNCIL. THE WORK SESSION ADJOURNED AT 7:29 P.M.

Minutes of the Regular Meeting

of the City Council of the

CITY OF DARIEN

AUGUST 5, 2013

1. **CALL TO ORDER**

The regular meeting of the City Council of the City of Darien was called to order at 7:30 P.M. by Mayor Weaver.

2. **PLEDGE OF ALLEGIANCE**

Mayor Weaver led the Council and audience in the Pledge of Allegiance.

3. **ROLL CALL** — The Roll Call of Aldermen by Clerk Ragona was as follows:

Present:	Tina M. Beilke	Ted V. Schauer
	Thomas J. Belczak	Joerg Seifert
	Joseph A. Kenny	

Absent:	Joseph A. Marchese
	Sylvia McIvor

Also in Attendance: Kathleen Moesle Weaver, Mayor
JoAnne E. Ragona, City Clerk
Michael J. Coren, City Treasurer
Bryon D. Vana, City Administrator
Scott Coren, Assistant City Administrator
Daniel Gombac, Director of Municipal Services
Ernest Brown, Police Chief

4. **DECLARATION OF A QUORUM** — There being five aldermen present, Mayor Weaver declared a quorum.

5. **QUESTIONS, COMMENTS AND ANNOUNCEMENTS - GENERAL**

There were none.

6. **APPROVAL OF MINUTES** – July 15, 2013

It was moved by Alderman Schauer and seconded by Alderman Kenny to approve the minutes of the City Council Meeting of July 15, 2013, as presented.

Roll Call: Ayes: Beilke, Belczak, Kenny, Schauer, Seifert

Nays: None

Absent: Marchese, McIvor

Results: Ayes 5, Nays 0, Absent 2

MOTION DULY CARRIED

7. **RECEIVING OF COMMUNICATIONS**

Mayor Weaver received the following e-mails:

- Charlie Sallstrom complimented Public Works on a job well done during the recent brush pickup.
- Dave Bertram commended Director Gombac and staff for cleanup efforts following June 24 storm.
- Mrs. Carnevale appreciated the quick reaction and clean up efforts following June 24 storm.
- Elizabeth Huskey expressed gratitude to Director Gombac for his efforts in resolving a rear yard drainage issue she has had for many years.
- Assistant Administrator Coren who spoke with Jackie Streid from IRMA who commended Chief Brown on a presentation he made during a meeting with Eagles Nest.
- Sergeant Adam Palisoc commending Chief Brown's professionalism, implementation of police enforcement strategy, and the police presence at Darien Community Park.

8. **MAYOR'S REPORT**

There was no report.

9. **CITY CLERK'S REPORT**

There was no report.

10. **CITY ADMINISTRATOR'S REPORT**

There was no report.

11. **DEPARTMENT HEAD INFORMATION/QUESTIONS**

Chief Brown made a brief statement regarding a recent article regarding civil litigation with the Chicago Police Department with serious allegations from 2005. He noted that he is not a defendant in the lawsuit; the accusations are false; the litigation will not distract him from his service to the community. Chief Brown reported on improvements made in the department during his tenure, and discussed the efforts being made to form a collaborative relationship between the police, multi-family property owners and managers to insure rental units do not become a problem. Chief Brown reminded residents to lock vehicles and keep valuables hidden from sight. He responded to questions from the Council Members.

Director Gombac reported:

- Wal-Mart construction began on August 4, 2013 with an estimated project completion in Spring of 2014.
- Chase Bank construction is scheduled to begin on August 25 with an estimated project completion in Spring of 2014.
- The successful Coach Light Program, which began in 2010, has been revised and a 2013 catalog will be available shortly.
- All signage has been removed from the former Phillips 66 site; the property owner is working towards securing a lease with a major company.

Assistant Administrator Coren reported that an upcoming Variance/Special Use Public Hearing is scheduled for September 3, 2013 requesting approval to allow the construction of a 300-foot cell tower on the Public Works property. The agreement with the wireless company will authorize construction and installation of the tower, which is estimated to allow eight carriers. The company will also provide water, and improve parking at the site in exchange for free rent for the term of the contract, which is five (5) years with four (4) five (5) year renewal options. Assistant Administrator Coren responded to questions from the Council Members.

12. **TREASURER'S REPORT**

A. WARRANT NUMBER 13-14-06

It was moved by Alderman Kenny and seconded by Alderman Seifert to approve payment of Warrant Number 13-14-06 in the amount of \$883,908.21 from the enumerated funds; and \$575,354.43 from payroll funds for the periods ending 07/11/13 and 07/25/13; for a total to be approved of \$1,459,262.64.

Roll Call: Ayes: Beilke, Belczak, Kenny, Schauer, Seifert
 Nays: None
 Absent: Marchese, McIvor

Results: Ayes 5, Nays 0, Absent 2
MOTION DULY CARRIED

B. TREASURER’S REPORT – JUNE, 2013

Treasurer Coren reviewed year-to-date sources of revenue, expenditures, and fund balances through the month of June 2013:

<u>General Fund:</u>	Revenue \$2,622,844; Expenditures \$2,398,179; Current Balance \$2,291,038
<u>Water Fund:</u>	Revenue \$816,035; Expenditures \$512,855; Current Balance \$1,265,227
<u>Motor Fuel Tax Fund:</u>	Revenue \$94,612; Expenditures \$58,908; Current Balance \$356,954
<u>Water Depreciation Fund:</u>	Revenue \$1,234; Expenditures \$0; Current Balance \$764,253
<u>Capital Improvement Fund:</u>	Revenue \$3,007,474; Expenditures \$1,268,654; Current Balance \$5,637,980
<u>Capital Projects Debt Service Fund:</u>	Revenue \$244,009; Expenditures \$86,838; Current Balance of \$165,031

Treasurer Coren provided a report on the Police Pension Board Meeting which was held on July 31, 2013 with both fund advisors in attendance. The report covered the period of April 1, 2013 through June 30, 2013. The Police Pension Board recommended an increase equity allocation to 50%. The fund is up over 3% for the year.

13. **STANDING COMMITTEE REPORTS**

Administrative/Finance Committee – Chairman Schauer announced the next Administrative Finance Committee Meeting is scheduled for September 3, 2013 at 6:00 P.M.

Municipal Services Committee — Director Gombac announced the next Municipal Services Committee Meeting is scheduled for August 26, 2013 at 6:30 P.M. in the Council Chambers.

Police Committee – Administrator Vana announced the next Police Committee Meeting is scheduled for August 19, 2013 at 6:00 P.M.

14. **QUESTIONS AND COMMENTS – AGENDA RELATED**

Matt Goodwin of VFW Post 2838 thanked the city for considering a rent free agreement to provide space in the Heritage Center for VFW Post 2838 and enumerated reasons for approval.

15. **OLD BUSINESS**

There was none.

16. **CONSENT AGENDA**

Mayor Weaver reviewed the items on the Consent Agenda for the benefit of the viewing audience.

It was moved by Alderman Belczak and seconded by Alderman Beilke to approve by Omnibus Vote the following items on the Consent Agenda:

- | | |
|----------------------------------|--|
| A. RESOLUTION NO. R-68-13 | A RESOLUTION ACCEPTING A PROPOSAL FROM BACKFLOW SOLUTIONS INC. (BSI) TO ESTABLISH AND MAINTAIN A POTABLE WATER BACKFLOW DEVICE PROGRAM FROM 2013 THROUGH 2018 AT A PASS THROUGH COST OF \$12.95 PER BACKFLOW DEVICE |
| B. RESOLUTION NO. R-69-13 | A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH FREEHILL ASPHALT INC. IN AN AMOUNT NOT TO EXCEED \$191,250.00 FOR THE 2013 CRACK FILL PROGRAM |
| C. RESOLUTION NO. R-70-13 | A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH PAVEMENT SYSTEMS INC. IN |

THE AMOUNT OF \$5,865.40 FOR THE CRACK FILLING, SEALCOATING, AND PAINT STRIPING FOR THE CITY OF DARIEN MUNICIPAL COMPLEX-1702-1710 PLAINFIELD ROAD

D. RESOLUTION NO. R-71-13

A RESOLUTION AUTHORIZING STAFF TO PROCEED WITH THE 79TH STREET AND FARMINGDALE DRIVE DRAINAGE PROJECT IN AN AMOUNT NOT TO EXCEED \$106,525.00

E. RESOLUTION NO. R-72-13

A RESOLUTION ACCEPTING A PROPOSAL FROM NORWALK TANK COMPANY FOR THE 112-INCH X 75-INCH ARCH CULVERT METAL PIPES, AND METAL BANDS IN AN AMOUNT NOT TO EXCEED \$14,896.72

F. RESOLUTION NO. R-73-13

A RESOLUTION ACCEPTING A PROPOSAL FROM VULCAN MATERIAL FOR RIP RAP NO 5 STONE IN AN AMOUNT NOT TO EXCEED \$8,460.00

G. RESOLUTION NO. R-74-13

A RESOLUTION ACCEPTING A PROPOSAL FROM H & R CONSTRUCTION FOR THE REMOVAL AND REPLACEMENT OF THE PIPE AND INSTALLATION OF THE RIP RAP NO. 5 STONE IN AN AMOUNT NOT TO EXCEED \$20,700.00

Roll Call: Ayes: Beilke, Belczak, Kenny, Schauer, Seifert

Nays: None

Absent: Marchese, McIvor

Results: Ayes 5, Nays 0, Absent 2

MOTION DULY CARRIED

17. **NEW BUSINESS**

Mayor Weaver announced that New Business Item A was removed from the agenda, and Items B through E will be re-lettered A through D.

A. CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO AN AGREEMENT TO PROVIDE SPACE IN THE HERITAGE CENTER AT NO COST TO THE DARIEN MEMORIAL POST 2838, VETERANS OF FOREIGN WARS OF THE UNITED STATES, INC.

It was moved by Alderman Seifert and seconded by Alderman Schauer to approve the resolution as presented.

RESOLUTION NO. R-75-13	A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO AN AGREEMENT TO PROVIDE SPACE IN THE HERITAGE CENTER AT NO COST TO THE DARIEN MEMORIAL POST 2838, VETERANS OF FOREIGN WARS OF THE UNITED STATES, INC.
-------------------------------	--

Alderman Beilke noted that the VFW will be paying the utilities, and the lease will be on a month to month basis. If the building is remodeled, she would like to see the lease renegotiated. Matt Goodwin advised that at the end of the month to month lease in August 2014, the VFW would anticipate renegotiating the terms. Alderman Seifert noted that there is a 30 day right to terminate within the lease.

Roll Call: Ayes: Beilke, Belczak, Kenny, Schauer, Seifert

 Nays: None

 Absent: Marchese, McIvor

Results: Ayes 5, Nays 0, Absent 2

MOTION DULY CARRIED

B. CONSIDERATION OF A MOTION TO APPROVE AN ORDINANCE AMENDING SECTION 3-3-7-4 OF THE DARIEN CITY CODE (EXTENDING THE HOURS OF ALCOHOL SERVICE)

It was moved by Alderman Belczak and seconded by Alderman Schauer to approve the ordinance as presented.

ORDINANCE NO. O-16-13 **AN ORDINANCE AMENDING SECTION 3-3-7-4 OF THE DARIEN CITY CODE (EXTENDING THE HOURS OF ALCOHOL SERVICE)**

Roll Call: Ayes: Beilke, Belczak, Kenny, Schauer, Seifert

 Nays: None

 Absent: Marchese, McIvor

Results: Ayes 5, Nays 0, Absent 2

MOTION DULY CARRIED

C. CONSIDERATION OF A MOTION TO APPROVE AN ORDINANCE AMENDING SECTION 3-3-7-11 OF THE DARIEN CITY CODE (INCREASING NUMBER OF LIQUOR LICENSES FROM 3 TO 4)

It was moved by Alderman Seifert and seconded by Alderman Beilke to approve the ordinance as presented.

It was pointed out that there was a typo in the ordinance listing the Class K license as Class D. Clerk Ragona corrected the typographical error.

ORDINANCE NO. O-17-13 **AN ORDINANCE AMENDING SECTION 3-3-7-11 OF THE DARIEN CITY CODE (INCREASING NUMBER OF LIQUOR LICENSES FROM 3 TO 4)**

Roll Call: Ayes: Beilke, Belczak, Kenny, Schauer, Seifert

 Nays: None

 Absent: Marchese, McIvor

Results: Ayes 5, Nays 0, Absent 2

MOTION DULY CARRIED

D. CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION APPROVING AN AGREEMENT WITH N. BATISTIC ARCHITECTS FOR THE PHASE 2 EVALUATION OF THE HERITAGE PLAZA INCLUDING SURVEY SERVICES AND PRELIMINARY DESIGN DRAWINGS IN AN AMOUNT NOT TO EXCEED \$9,600.00

It was moved by Alderman Seifert and seconded by Alderman Schauer to approve the ordinance as presented.

Alderman Kenny questioned the necessity of another evaluation. Director Gombac responded that conceptual plans will be needed and the second evaluation will help in verifying the decision to rebuild rather than remodel. Administrator Vana added that the evaluation will provide more detailed information and cost estimates which will be helpful in making an educated decision. Alderman Beilke felt the evaluation will serve as a second opinion, and provide an opportunity to determine the worth.

RESOLUTION NO. R-76-13

A RESOLUTION APPROVING AN AGREEMENT WITH N. BATAISTIC ARCHITECTS FOR THE PHASE 2 EVALUATION OF THE HERITAGE PLAZA INCLUDING SURVEY SERVICES AND PRELIMINARY DESIGN DRAWINGS IN AN AMOUNT NOT TO EXCEED \$9,600.00

Roll Call: Ayes: Beilke, Belczak, Kenny, Schauer, Seifert
 Nays: None
 Absent: Marchese, McIvor

Results: Ayes 5, Nays 0, Absent 2
MOTION DULY CARRIED

18. QUESTIONS, COMMENTS AND ANNOUNCEMENTS – GENERAL

There were none.

19. ADJOURNMENT

There being no further business to come before the City Council, it was moved by Alderman Kenny and seconded by Alderman Schauer adjourn the City Council meeting.

VIA VOICE VOTE – MOTION DULY CARRIED

The City Council meeting adjourned at 8:18 P.M.

Mayor

City Clerk

All supporting documentation and report originals of these minutes are on file in the Office of the City Clerk under File Number 08-05-13.
Minutes of 08-05-13 CCM